



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo, Acting President

Jerry Duncan
Sal Quintero
Daniel Ronquillo

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 19, 2002

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON www.ci.fresno.ca.us. THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Reverend Ara Guekguezian of the Pilgrim Armenian Church
Pledge of Allegiance to the Flag

Proclamation of "TORREON DAY" - Mayor Autry and Council President Perea
Presentation of 2nd Quarter Student Recognition Awards for the High Schools in District 4 - Acting President Castillo
Presentation of District 7 Student Recognition Awards - Council President Perea
Proclamation of "NATIONAL SAFE PLACE WEEK" - All Councilmembers

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of March 12, 2002

Action Taken:

- A. Recommend that the City Council approve the Annual Report of the Redevelopment Agency of the City of Fresno for fiscal year 2000-01

Action Taken:

- B. Consider matters relating to Ventura/Freeway 41 Study Area - Subarea 1 (9.72 acres) (Old Armenian Town) in the Convention Center Redevelopment Project Area

1. **RESOLUTION** - Approving a replacement Housing Plan relating to the proposed project (*Agency action*)

Action Taken:

2. Receive report on proposed project and direct staff to: (1) negotiate a Master Development Agreement (MDA) with Old Armenian Town, LLC ("Master Developer") that will include a Master Plan for a mixed-use commercial development, (2) negotiate with the State of California, Department of General Services, regarding the acquisition of a 2.05 acre site for the proposed new Fifth District Court of Appeals within the 9.72 site, (3) begin best efforts to assemble the proposed 9.72 acre site and/or the courthouse site

(Agency action)

Action Taken:

AGENCY RECESS

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of March 12, 2002

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M. * RESOLUTION - 87th amendment to AAR No. 2001-200 approving the transfer of \$150,000 in matching funds from the Mayor's Youth Services Contingency for Junior Golf Learning Facility (***Requires 5 affirmative votes***) - PR&CS

Action Taken:

10:00 A.M. HEARING regarding the FY 2002/2003 Weed Abatement Program - Housing, Economic & Community Development Dept.

Action Taken:

a. RESOLUTION - Approving the program, and declare that dry grass, weeds, trash and debris on vacant lots and lots with vacant structures pose a significant fire hazard in the City of Fresno

Action Taken:

10:15 A.M. Council discussion on a joint City and County resolution to form a commission to study local government services to include a City/County merger - Councilmember Calhoun

Action Taken:

10:30 A.M. HEARING to consider Conditional Use Permit (CUP) No. C-01-167, Variance Application No. V-01-023, and environmental findings, filed by David Roach, on behalf of Cliff Tutelian, for the development of a four-story office building and five-story parking garage for property located on the southeast corner of Tulare and "N" Streets

Action Taken:

a. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. C-01-167, V-01-023

Action Taken:

b. RESOLUTION - Approving Conditional Use Permit No. C-01-167

Action Taken:

11:00 AM

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. Case Name: In re the IT Group, Inc. in the Bankruptcy Court for the District of Delaware, Case No. 02-10118

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:00 AM.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

B. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9 Subdivision (c)

1. **Case Name:** Redevelopment Agency of the City of Fresno v. Emmanuel B. David, Ofelia David and Marlene Z. Robertson, et al.

Action Taken:

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Government Code Section 54956.8

Property: One parcel - APN 467-154-13 ("A" Street between Fresno and Merced Streets)

Agency Negotiators: Dan Fitzpatrick, Marlene Murphey, John Palmer, Lou Steck

Negotiating parties: Emmanuel B. David, Ofelia David and Marlene Z. Robertson

Under negotiations: Instructions to negotiators will concern price and terms of payment

Action Taken:

2:00 PM

CONTESTED CONSENT CALENDAR

5:00 P.M.

HEARING to consider Rezoning Application No. R-01-33, Conditional Use Permit (CUP) No. C-01-117, and Variance No. V-01-17, and environmental findings, filed by Ellis Enterprises, for a mixed-use project consisting of commercial, office, and multiple-family residential uses, located on the north side of E. Shepherd Avenue from E. Champlain Drive to N. Maple Avenue (*Property located in District 6*)

Action Taken:

- a. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. R-01-33, C-01-117, V-01-17
Action Taken:
- b. **RESOLUTION** - Approving Conditional Use Permit No. C-01-117 (*Staff recommendation*)
Action Taken:
- c. **RESOLUTION** - Approving Conditional Use Permit No. C-01-117 (*Planning Commission recommendation*)
Action Taken:
- d. **RESOLUTION** - Approving Variance No. V-01-17
Action Taken:
- e. **BILL** - Amending the Official Zone Map to rezone property from C-1/UGM/cz, C-P/UGM/cz, and R-2/UGM/cz to C-1/UGM/cz, C-P/UGM/cz, and R-2/UGM/cz (changing zone district lines)
Action Taken:

1. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- A. * **RESOLUTION** - 83rd amendment to AAR No. 2001-200 appropriating \$381,100 in grant funds from the Urban Parks and Recreation Recovery Program (UPARR) to rehabilitate Frank H. Ball Playground (*Requires 5 affirmative votes*) - PR&CS
Action Taken:
- B. **RESOLUTION** - Authorizing submittal of a Grant Application to the National Park Service under the Urban Park and Recreation Recovery Program (UPARR) - PR&CS
Action Taken:
- C. Award a contract to construct wellhead treatment improvements at Pump Station 180 - General Services Dept./ Public Utilities Dept.
Action Taken:
- D. **RESOLUTION** - Approving the summary vacation of a portion of "P" Street between Tulare and Kern Streets - Public Works Dept.
Action Taken:
- E. Approve a Professional Services Agreement with HDR Engineering, Inc., for on-site construction engineering services for the new Power Generation Facility (PGF) at the Regional Wastewater Reclamation Facility - Public Works Dept.
Action Taken:
- F. **RESOLUTION** - Of intention to annex Tract No. 5066 to the City of Fresno Community Facilities District No. 2, Annexation No. 35 and to authorize the levy of special taxes - Public Works Dept.
Action Taken:
- G. Approve a Military Construction Cooperative Agreement with California Air National Guard for the design of plans and construction documents for traffic signal modifications and street improvements at McKinley Avenue and Falcon Drive
Action Taken:
- H. **RESOLUTION** - Authorizing the submittal of grant applications to the California Integrated Waste Management Board (CIWMB) for all available grants under the California Oil Recycling Enhancement Act and all available HHW grants under the California Integrated Waste Management Act for the period of June 30, 2002 to June 30, 2005 - Public Utilities Dept.
Action Taken:

1. **CONSENT CALENDAR ITEMS CONTINUED**

- I. Reject all bids for Lions Den Skate Park - General Services/Public Works

Action Taken:

- J. **RESOLUTION** - Providing continuation of payment of City's portion of health and welfare premiums for employees serving in active duty for Operation Enduring Freedom - City Manager's Office

Action Taken:

1. Direct Labor Relations Manager to extend the Side Letter of Agreement with the employee organizations

Action Taken:

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

3. **GENERAL ADMINISTRATION**

- A. * **RESOLUTION** - 89th amendment to AAR No. 2001-200 appropriating \$72,400 for the City of Fresno's portion of the Local Agency Formation Commission's (LAFCO's) operating costs (***Requires 5 affirmative votes***) - Development Department

Action Taken:

- B. **RESOLUTION** - Supporting the Fresno Zoological Society's submission of an application of grant funds for the Dr. Paul Chaffee Zoological - Zoos and Aquarium Facilities Grant Program, under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Proposition 12) - PR&CS

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Mar. 26 -	10:00 A.M.	HEARING re: R-01-049, filed by Jerry A. Markarian
Mar. 26 -	10:15 A.M.	HEARING re: Text Amendment No. TA-00-02, FMC relating to group homes
Mar. 26 -	10:30 A.M.	HEARING to consider street alignment and widths - Tentative Parcel Map No. 2001-15
Apr. 2 -		NO MEETING - EASTER WEEK
Apr. 9 -	10:00 A.M.	HEARING re: CFD No. 2, Annexation No. 34, Tracts 4933 and 5014
Apr. 9 -	10:15 A.M.	HEARING re: the formation of CFD No. 6
Apr. 9 -	3:00 P.M.	HEARING re: to review the Fresno City Planning Commission's action to approve Conditional Use Permit (CUP) No. C-01-163 - Council President Perea
Apr. 9 -	4:00 P.M.	HEARING re: to review the Fresno City Planning Commission's decision to require an Environmental Impact Report (EIR) for the application for Conditional Use Permit (CUP) No. C-01-089 - Councilmember Calhoun
Apr. 16 -	10:00 A.M.	HEARING re: vacation of Main Street between "N" and "O" and a portion of N" Street between Tulare and Maine and a P.U.E. in the "N" - "O" alley between Tulare and Main Streets - R.I. 1027-D
Apr. 23 -	10:00 A.M.	Presentation of Employee Service Awards (<i>Reception immediately following - 2nd floor foyer</i>)
Apr. 23 -	10:30 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 35, Tract No. 5066
May 14 -	10:00 A.M.	HEARING re: Plan Amendment No. A-01-29, Rezone Appl. No. R-01-51, filed by Ahmad Lari and Jay Parille on behalf of Sonic Burger
June 18 -	5:45 P.M.	HEARING re: Housing Element to the General Plan